

STATE OF NEW HAMPSHIRE
INTRA-DEPARTMENT COMMUNICATION

FROM

Kevin T. Nyhan *KTN*
Administrator

DATE

July 6, 2016

AT (OFFICE)

Bureau of Environment

SUBJECT

Wetland Bureau Permit # 2015-02877
Swanzy, 23737

TO

Bob Landry, Administrator, Bureau of Bridge Design

Forwarded herewith, for your files and further use as appropriate, is a copy of the subject permit as approved by the Wetlands Bureau and the Water Division on 07/01//2016.

Please note specific conditions on permit, with specific attention to Conditions #18-#23.

TERRAIN ALTERATION

Note that the non-site specific permit (RSA 485-A: 17 "Terrain Alteration") is part of this Wetlands Bureau Permit.

WATER QUALITY CERTIFICATION

- ☒ This permit covers the project's consideration for Water Quality protection and no further action is required by this office.
- ☐ This permit does not cover the Water Quality protection for this project. However, a Water Quality Permit will be obtained for this project.

CORPS PERMIT STATUS

- ☐ No Corps Jurisdiction
- ☐ SPGP (Minimum Impact) - No waiting period; no Corps approval required
- ☐ SPGP (Minor Impact)-Wait 30 days from NHWB issuance date; no written approval from Corps required
- ☒ SPGP (Major Impact)-Wait 30 days from NHWB issuance date; written approval from Corps required
- ☐ Emergency - No waiting period; No written approval from Corps required
- ☐ Amendment - No waiting period; No written approval from Corps required
- ☐ Corps Individual Permit Required

COASTAL ZONE MANAGEMENT (CZM) STATUS

- ☒ Outside of Coastal Zone-consistency finding not necessary from OSP
- ☐ Within Coastal Zone (Non-Federal Action)-consistency finding not necessary from OSP
- ☐ Within Coastal Zone (Federal Action)-if covered by SPGP, or no Corps' jurisdiction, consistency finding is automatic from OSP
- ☐ Within Coastal Zone (Federal Action)-if individual Corps permit, written consistency finding is necessary from OSP

EROSION CONTROL PLAN STATUS

- ☐ Erosion Control Plan Required; Submit Erosion Control Plan to DES Wetlands Bureau

If you have any questions, please call 271-7969.

KTN: ktn
Encl.

cc: BOE Original (w/Encl.)
Bureau of Construction (w/Encl.)
Randy Talon, Environmental Coordinator (via E-mail)
Lysa Bennet-Crouch (via E-mail)
Matt Urban, Wetlands Program Manager (via E-mail)



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

July 01, 2016

Matt Urban
NH Dept. of Transportation
PO Box 483
Concord, NH 03302-0483

RE: NH Dept. of Transportation - File # 2015-02877 - Swanzey

Tax Map/Lot # Right-of-Way

Dear Mr. Urban:

Attached please find Wetlands Permit # 2015-02877 to repair and improve the riprap and scour protection of the Cresson Covered Bridge (136/143) impacting 13,712 sq. ft. (10,514 sq. ft. temporary) of riverine wetlands. **NHDOT project #23737**

The decision to approve this application was based on the following findings:

1. This is a major impact project per Administrative Rules Env-Wt 303.02(p), a replacement of a stream crossing structure in a tier 3 stream and Env-Wt 303.02(k), projects that has documented occurrences of state or federally listed endangered or threatened species.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project was coordinated through the Natural Resource Agency monthly meetings and discussed on July 16, 2014.
6. The project does not require mitigation as this meets rule Env-Wt 302.03(c)(2)(c), protection of existing infrastructure.
7. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.
8. The DES has determined the applicant has met the purpose of the current stream rules relative to not causing damage upstream or downstream and not impeding aquatic organisms.
9. The Nov. 19, 2015 letter received from the Local River Advisory Committee (LAC) is addressed by the applicant's February 26, 2106 letter received on April 18, 2016 regarding stream bed material, access for recreational users, noting the causeway is not designed yet and the Biological Opinion by the US Fish and Wildlife Service would be forwarded to the LAC upon its conclusion and receipt.
10. The other questions expressed by the LAC regarding replanting is addressed by permit condition #18 while permit condition #19 will keep the LAC informed of the causeway plan to be designed by the chosen contractor and permit condition #20 requires coordination for navigability and river monitoring.

DES Web site: www.des.nh.gov

P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095

Telephone: (603) 271-3503 • Fax: (603) 271-6588 • TDD Access: Relay NH 1-800-735-2964

11. On May 25, 2016 the applicant e-mailed a copy of the US Fish and Wildlife Service Biological Opinion for the subject location which has determined that with the conservation efforts listed and required measures that the project is not likely to jeopardize the continued existence of the species noted.

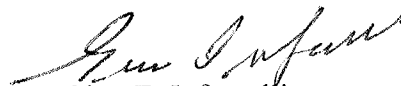
Any person aggrieved by this decision may appeal to the N.H. Wetlands Council ("Council") by filing an appeal that meets the requirements specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Council, Env-WtC 100-200. The appeal must be filed **directly with the Council within 30 days** of the date of this decision and must set forth fully **every ground** upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the Council.

Information about the Council, including a link to the Council's rules, is available at <http://nhec.nh.gov/> (or more directly at <http://nhec.nh.gov/wetlands/index.htm>.) Copies of the rules also are available from the DES Public Information Center at (603) 271-2975.

Your permit must be signed, and a copy must be posted in a prominent location on site during construction.

If you have any questions, please contact our office at (603) 271-2147.

Sincerely,



Gino E. Infascelli
Public Works Project Supervisor
DES Wetlands Bureau

cc: Swanzey Conservation Commission
Swanzey Municipal Clerk
Robert Landry, NHDOT
Vicki Chase, Normandeau Associates
Barbara Skuly, Ashuelot River Local Advisory Committee
Tracie J. Sales, DES Rivers Program, Watershed Management Bureau



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

WETLANDS AND NON-SITE SPECIFIC PERMIT 2015-02877

Permittee: NH Dept. of Transportation
PO Box 483
Concord, NH 03302-0483

Project Location: Sawyers Crossing Road, Swanzey
Swanzey Tax Map/Lot No. Right-of-Way

Waterbody: Ashuelot River

**NOTE--
CONDITIONS**

APPROVAL DATE: 07/01/2016

EXPIRATION DATE: 07/01/2021

Based upon review of the above referenced application, in accordance with RSA 482-A and RSA 485-A:17, a Wetlands Permit and Non-Site Specific Permit was issued. This permit shall not be considered valid unless signed as specified below.

PERMIT DESCRIPTION: Repair and improve the riprap and scour protection of the Cresson Covered Bridge (136/143) impacting 13,712 sq. ft. (10,514 sq. ft. temporary) of riverine wetlands.
NHDOT project #23737

**THIS APPROVAL IS SUBJECT TO THE FOLLOWING PROJECT SPECIFIC
CONDITIONS:**

1. All work shall be in accordance with UNDATED plans by NHDOT Bureau of Highway Design, PE stamped on 9/11/15/as received by the NH Department of Environmental Services (DES) on Oct. 22, 2015.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction unless specifically authorized.
3. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain in place until suspended particles have settled and the water at the work site has returned to normal clarity.

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10. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
14. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
15. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
16. The impacts associated with the temporary work shall be restored immediately following construction.
17. The permittee shall provide for the safety of recreational users of the river during construction.
18. The permittee shall provide a plan to the file and the Local River Advisory Committee for restoration of the bank disturbed for access using similar vegetation.
19. A copy of the causeway design and construction sequence is to be submitted to the file and LAC prior to construction.
20. Reasonable access shall be maintained relative to navigability and ongoing river monitoring.
21. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site, at the NHDES Office in Concord, N.H. or NHDOT Office in Concord, N.H. to review the conditions of this wetlands permit.
22. It shall be the responsibility of the permittee to schedule and coordinate the pre-construction meeting providing at least 5-day notice to the NHDES Wetlands Bureau and / or other Land Resources Management Program staff, and the meeting shall be attended by the permittee, the contract administrator(s), wetlands scientist(s), erosion control monitor, and the contractor(s) responsible for performing the work.
23. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau at least 10 working days in advance of the meeting to be held as required by permit condition #21. Those plans shall be complete and shall include details regarding the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.

GENERAL CONDITIONS THAT APPLY TO ALL DES WETLANDS PERMITS:

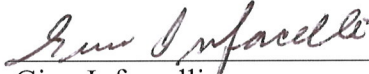
1. A copy of this permit shall be posted on site during construction in a prominent location visible to inspecting personnel;

2015-02877

Conditions Cont'd

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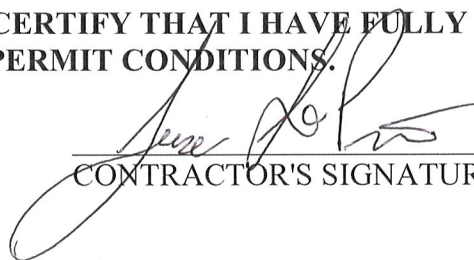
2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others;
3. The Wetlands Bureau shall be notified upon completion of work;
4. This permit does not relieve the applicant from the obligation to obtain other local, state or federal permits, and/or consult with other agencies as may be required (including US EPA, US Army Corps of Engineers, NH Department of Transportation, NH Division of Historical Resources (NH Department of Cultural Resources), NHDES-Alteration of Terrain, etc.);
5. Transfer of this permit to a new owner shall require notification to and approval by DES;
6. This project has been screened for potential impacts to **known** occurrences of rare species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or have received only cursory inventories, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species.
7. Review enclosed sheet for status of the US Army Corps of Engineers' federal wetlands permit.

APPROVED: 
Gino Infascelli
DES Wetlands Bureau

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**BY SIGNING BELOW I HEREBY CERTIFY THAT I HAVE FULLY READ THIS PERMIT
AND AGREE TO ABIDE BY ALL PERMIT CONDITIONS.**


OWNER'S SIGNATURE (required)


CONTRACTOR'S SIGNATURE (required)